

### REMARKS

This Amendment is respectfully submitted in response to the Office Action of August 8, 2005. It is timely in view of the Petition for Extension of Time submitted concurrently herewith.

The claims have been amended so as to define "x" in claims 1 and 55. Due to a typographical error, the explicit definition for "x" was omitted from the Specification as originally filed. However, it would have been apparent to those of ordinary skill in the art that "x" could *only* be an integer from 0 to 1 due to the nature of the definition of "W" as an oxygen, sulfur or NR<sup>5</sup> substituent, due to the fact that carbon only has four available bonds. Thus, applicants respectfully submit that no new matter has been added to the claims.

The Office Action of August 8, 2005 rejected claims 1-17, 55, 62 and 70 under the judicially created doctrine of obviousness-type double patenting. The rejection was upheld on the ground that the terminal disclaimer of 5/23/2005 was not signed. Applicants respectfully request reconsideration of this rejection. A copy of the terminal disclaimer dated May 19, 2005 is attached hereto and it can be seen that it was signed with an "s-signature" in accordance with 37 CFR §1.4. Thus, the previously-submitted terminal disclaimer should be acceptable in accordance with that rule. Reconsideration of the rejection under the judicially-created doctrine of double patenting is therefore respectfully requested.

The Office Action of August 8, 2005 rejected claims 1-5, 7-17, 49-53, 55-70 under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Office Action indicated that the "x" in claims 1 and 55 was not defined. Applicants respectfully request reconsideration of this rejection in light of the foregoing amendments to the claims and the ensuing discussion.

Applicants have amended claims 1 and 55 to include a definition for the term "x" as set forth above. Therefore, applicants respectfully submit that the rejection under 35

U.S.C. 112 has been rendered moot in light of this amendment and thus request withdrawal of this rejection.

In view of the foregoing discussion, amendments to the claims and accompanying Terminal Disclaimer, applicants respectfully request reconsideration of the rejections set forth in the Office Action of August 8, 2005.

An early allowance is earnestly solicited. Please address any questions regarding the foregoing to the undersigned.

Respectfully submitted,

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